



Planning & Zoning Commission

Minutes

Regular Meeting

March 16, 2021 – 6:00 p.m.

Wylie Municipal Complex – Council Chambers

300 Country Club Road, Bldg. 100

Wylie, TX 75098

CALL TO ORDER

Announce the presence of a Quorum.

Chair Cory Plunk called the regular meeting to order at 6:00PM. The following P&Z Commissioners were present: Vice Chair Bryan Rogers, Commissioner Brian Ortiz, Commissioner Taylor Newsom and Commissioner Dan Norris. Commissioner Charla Riner was absent.

Chair Plunk welcomed newly appointed Commissioner Jacques Loraine.

Staff present: Mr. Jasen Haskins, Planning Manager, Kevin Molina, Senior Planner, and Mary Bradley, Administrative Assistant.

INVOCATION & PLEDGE OF ALLEGIANCE

Vice Chair Rogers gave the invocation and Commissioner Loraine led the Pledge of Allegiance.

CITIZENS COMMENTS ON NON-AGENDA ITEMS

Residents may address Commissioners regarding an item that is not listed on the Agenda. Residents must fill out a non-agenda form prior to the meeting in order to speak. Commissioners requests that comments be limited to three (3) minutes. In addition, Commissioners not allowed to converse, deliberate or take action on any matter presented during citizen participation

No one approached the Commissioners.

CONSENT AGENDA

- A. Consider and act upon approval of the Minutes from the March 2, 2021 Regular Meeting.**
- B. Consider, and act upon a recommendation to the City Council regarding a Final Plat of Lot 1 of Schreiber Addition, establishing one lot on 6.885 acres located in the ETJ at 2875 Vinson Road.**

Commission Action

A motion was made by Vice Chair Rogers, seconded by Commissioner Norris, to approve the Consent Agenda as presented. A vote was taken and the vote carried 6-0.

REGULAR AGENDA

1. **Hold a Public Hearing, consider, and act upon a recommendation to City Council regarding a change of zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP), to allow for an Alternative Financial Institution on 1.5 acres, located at 620 N State Highway 78, Suite 615 (ZC 2021-02).**

Staff Discussion

Mr. Molina stated that the property is located at 620 N State Highway 78, Suite 615 and the applicant is requesting a Special Use Permit to allow alternative loan services.

The Zoning Ordinance allows alternative loan services with six required provisions. The applicant is requesting a waiver to three of the six provisions, all relating to distance requirements:

- ★ To allow the use within 1,000 feet from any lot containing another alternative financial institution. The property is on the same lot as another financial institution and within 700 feet to the southwest of another financial institution.
- ★ To allow the use within 500 feet of the rights-of-way of any four lane divided or greater thoroughfare. The property is adjacent to State Highway 78, a greater than four lane thoroughfare.
- ★ To allow the use within 300 feet from any zoned or used for residential purposes. The property is adjacent to a residential use to the south.

Fifteen notifications were mailed to surrounding property owners, no comment forms were returned in favor or in opposition of the request.

Board Discussion

Mr. Andrew Deetz, 1019 Native Trail, Heath, applicant for the subject property stated that Liberty Tax is the name of the primary business. The loans would be owned, processed and approved by Revolution Financial, a kiosk computer will be provided inside the facility for customers to enter loan applications. The loans, if approved, would be processed by direct deposit, no cash would be provided on-site. The Annual Percentage Rate is approximately 102 percent. A seventeen foot sign would be placed on the property for Liberty Tax and Loans.

Public Comments

Chair Plunk opened the public hearing on Item 1 asking anyone present wishing to address the Commissioners to come forward. With no one coming forward, Chair Plunk closed the public hearing.

Board Comments

The Commissioners expressed concerns for the number of waivers relating to the distance to other existing financial institutions, residential property, being on a major thoroughfare, and the signage.

Board Action

A motion was made by Vice Chair Rogers, seconded by Commissioner Norris to recommend disapproval to City Council regarding a change of zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP), to allow for an Alternative Financial Institution on 1.5 acres, located at 620 N State Highway 78, Suite 615. (ZC 2021-02). A vote was taken and motion carried 5 - 1, with Commissioner Ortiz voting in opposition.

2. **Hold a Public Hearing to consider, and act upon, a recommendation to City Council, regarding a change of zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (CC-SUP), to allow for an Alternative Financial Institution on 1.5 acres, located at 2901 W FM 544, Suite 170 (ZC 2021-03).**

Staff Presentation

Mr. Molina stated that the property is located 2901 E FM 544, Suite 170 and the applicant is requesting a Special Use Permit to allow alternative loan services.

The Zoning Ordinance allows alternative loan services provided that six provisions are met. The applicant is requesting a waiver to two of the six provisions relating to distance requirements.

- ★ To allow the use within 500 feet of the rights-of-way of any four lane divided or greater thoroughfare. The proposed use is adjacent to FM 544, a greater than four lane thoroughfare.
- ★ To allow the use within 300 feet from any zoned or used for residential purposes. The property is 100 feet from a residential use to the north, separated by the rail line.

Seventeen notifications were mailed to surrounding property owners. One comment form was received in opposition to the request and no responses were received in favor of the request.

Applicant Comments

Mr. Matthew Baulier, 328 East Carl Albert Parkway, McAlester, Oklahoma, applicant for the proposed request, stated that Empire Financial has been in business for 50 years, and is not a franchise. Loans are for up to \$1,500 with higher interest rate than traditional banks but credit checks unlike some alternative financial loans.

Public Comments

Chair Plunk opened the public hearing on Item 2 asking anyone present wishing to address the Commissioners to come forward. With no one coming forward, Chair Plunk closed the public hearing.

Board Discussion

The Commissioners expressed concern for the waivers they are requesting and the type of business at this location.

Board Action

A motion was made by Commissioner Newsom, and seconded by Vice Chair Rogers to recommend disapproval to the City Council regarding a change of zoning from Commercial Corridor (CC) to Commercial Corridor Special Use Permit (CC-SUP), to allow for an Alternative Financial Institution on 1.34 acres, located at 2901 W FM 544, Suite 170 (ZC 2021-03). A vote was taken and the motion carried 4-2.

Ms. Bradley the next Planning and Zoning Meeting is scheduled for April 6, 2021.

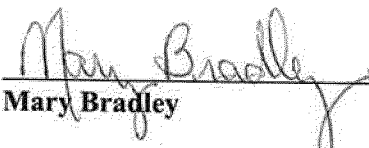
ADJOURNMENT

A motion was made by Commissioner Newsom, and seconded by Vice Chair Rogers, to adjourn the meeting at 6:36 PM. A vote was taken and carried 6-0.



Cory Plunk, Chair

ATTEST:



Mary Bradley